

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
24-00069-01-CR-W-DGK

OTHIENO O. LUCAS,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES:	Count One	Possession with Intent to Distribute Fentanyl, <i>in violation of</i> 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
	Count Two	Possession of a Firearm in Furtherance of Drug Trafficking, <i>in violation of</i> 18 U.S.C. § 924(c)(1)(A)(i)
	Count Three	Felon in Possession of a Firearm, <i>in violation of</i> 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Trey Alford; a paralegal may assist

Case Agent: Detective Steve Cook – Independence, Missouri Police Department

Defense: Matthew Merryman

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 10 without stipulations

Defense: No additional witnesses; Defendant may testify

TRIAL EXHIBITS:

Government: 50 exhibits

Defense: 10 exhibits

DEFENSES:

(x) defense of general denial

() defenses of general denial and _____

POSSIBLE DISPOSITION:

- | | |
|--|---|
| <input type="checkbox"/> Definitely for trial | <input type="checkbox"/> Possibly for trial |
| <input checked="" type="checkbox"/> Motion to continue to be filed | <input type="checkbox"/> Likely a plea will be worked out |

TRIAL TIME: 3 days

Government's case including jury selection: 2 days

Defense case: ½ day

STIPULATIONS:

- ☐ not likely
- ☐ not appropriate
- ☐ proposed as to:
 - ☐ chain of custody
 - ☒ chemist's reports
 - ☒ prior felony conviction
 - ☒ interstate nexus of firearm
 - ☐ other: _____

UNUSUAL QUESTIONS OF LAW: Defendant may consider the possibility of pleading guilty to one count and contesting the others.

FILING DEADLINES:

Witness and Exhibit Lists:

Government: August 30, 2024

Defense: August 30, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: August 30, 2024

Jury instructions must comply with Local Rule 51.1

Motions in Limine: August 30, 2024

TRIAL SETTING: Criminal jury trial docket commencing September 16, 2024

Please note: *No conflicts identified.*

OTHER:

- ☐ A _____-speaking interpreter is required.
- ☐ Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge